

Message Text

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ACTION IO-13

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 NSAE-00 NSCE-00

SSO-00 USIE-00 INRE-00 PM-04 H-02 INR-07 L-03 NSC-05

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FM USMISSION USUN NY
TO SECSTATE WASHDC IMMEDIATE 8452
INFO AMEMBASSY ANKARA IMMEDIATE
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AMEMBASSY LONDON
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E.O. 11652: N/A
TAGS: UNSC, PFOR, TU, GR
SUBJ: TURKISH FOREIGN MINISTER CAGLAYANGIL ADDRESSEES
SC AUGUST 13

REF: USUN 3215

1. BEGIN SUMMARY: SECURITY COUNCIL MET AT 3:00 P.M.
AUGUST 13 TO HEAR TURKISH FOREIGN MINISTER CAGLAYANGIL
WHO SPOKE FOR ABOUT ONE-HALF HOUR. GREEK FOREIGN MINISTER
EXERCISED HIS RIGHT OF REPLY WHICH PROMPTED RESPONSE
FROM FONMIN CAGLAYANGIL. THE COUNCIL ADJOURNED ON THIS
ITEM UNTIL TUESDAY MORNING, AUGUST 17.

2. FONMIN CAGLAYANGIL STATED THAT GREECE WAS RESPONSIBLE
FOR THE DANGEROUS SITUATION IN THE AEGEAN. HE SAID GREECE
HAS UNILATERALLY CLAIMED SOVEREIGNTY OVER THE DISPUTED
WATERS. HE CHARGED THAT GREECE HAS WITHOUT REASON HARASSED
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THE SISMIK-I WHILE THE GOT DID NOT HARASS GREEK

SCIENTIFIC SHIPS THAT HAD EXPLORED THE REGION EARLIER. HE CLAIMED THAT THE GOG HAS VIOLATED THE LAUSANNE TREATY OF 1923 AND THE TREATY OF PEACE WITH ITALY (1947) BY MILITARIZING THE AEGEAN ISLANDS. FONMIN BITSIOS REPLIED THAT IN THE ABSENCE OF A SPECIAL AGREEMENT, APPLICABLE INTERNATIONAL LAW DETERMINES THE EXTENT OF THE RIGHTS OF THE PARTIES. HE THEN PROCEEDED TO ANSWER THE POINTS RAISED BY THE TURKISH FONMIN AND CONCLUDED BY STATING THAT PRIME MINISTER CARAMANLIS HAS NEVER CLAIMED THE AEGEAN IS A CLOSED SEA AND THAT ANY DISPUTE IS OPEN TO NEGOTIATIONS. TURKISH FONMIN REPLIED THAT A MAP CIRCULATED BY THE GREEK DELEGATION SHOWED THAT GREEK CLAIMS OF COASTAL RIGHTS WERE UNFAIR TO TURKEY. END SUMMARY.

3. TURKISH FONMIN CAGLAYANGIL BEGAN HIS STATEMENT BY STATING IF A DANGEROUS SITUATION EXISTED IN THE AEGEAN, IT WAS CAUSED BY GREECE'S MILITARY HARASSMENT OF THE RESEARCH VESSEL SISMİK-I WHICH IS OUTSIDE THE TERRITORIAL WATERS OF GREECE. HE CHARGED GREEK NAVAL VESSELS AS WELL AS AIRCRAFT HAVE HARASSED THE OPERATIONS OF THE SISMİK. NO UNILATERAL ASSERTION BY GREECE AND NO MILITARY INTIMIDATION WILL CONFERE ON GREECE SOVEREIGNTY IT CLAIMS.

4. FONMIN STATED THAT UNTIL THE CONTINENTAL SHELF IS DEFINED THE CLAIMS OF BOTH NATIONS WERE EQUALLY VALID. HE SAW NO REASON FOR GREECE CALLING THE SC INTO SESSION OVER THE MATTER WHILE NEGOTIATIONS WERE IN PROGRESS UNLESS IT WAS "A PROPAGANDA EXERCISE, FANNED BY THE BELLICOSE OUTCRIES RISING IN ATHENS."

5. HE REMINDED THE SC THAT THE GREEK RESEARCH VESSEL NAUTILUS WAS UNDERTAKING ACTIVITIES SIMILAR TO SISMİK-I IN NEARBY WATERS AT THE PRESENT TIME. THIS FURTHERS THE GOT'S BELIEF THAT ATHENS CONSIDERS THE AEGEAN AS A GREEK LAKE.

6. CAGLAYANGIL STATED THAT WHAT THE GOG SEES AS SOVEREIGN RIGHTS IN THESE WATERS ARE REALLY NOTHING BUT UNILATERAL CLAIMS NOT BASED ON INTERNATIONAL LAW. HE STATED THERE ARE NO RIGHTS AT THE PRESENT TIME IN THE AEGEAN BEYOND THE NORMAL TERRITORIAL WATERS LIMIT.

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7. FONMIN SAID GOG INTERPRETATION OF 1958 GENEVA CONVENTION WAS SELECTIVE AND FALLACIOUS. HE CLAIMED THE LEGAL ASPECTS ARE IN A STATE OF EVOLUTION AND THAT SINCE THE LOS HAS COME TO NO CONCLUSIONS THE LIMITATIONS OF THE CONTINENTAL SHELF CAN ONLY COME ABOUT BY "MUTUAL CONSENT TAKING INTO ACCOUNT ALL THE RELEVANT FACTORS AND THE PRINCIPLES OF JUSTICE AND EQUITY."

8. THE GOT WELCOMED BILATERAL NEGOTIATIONS BUT THE GOG FOR LONG TIME STOOD FIRM ON ITS UNILATERAL CLAIMS. INDEED, HE CLAIMED, THE MISSION OF THE SISMIC-I WAS TO AIN DATA THAT WOULD BE USEFUL IN NEGOTIATIONS, DATA WHICH THE GOG HAD ALREADY ASCERTAINED WITH ITS EXPLORATION SHIPS.

9. FONMIN STATED THAT GOG KNEW OF THE PROPOSED SISMIC MISSION AS EARLY AS MARCH 1976 BUT DID NOT INDICATE AT THAT TIME IT WOULD UPSET NEGOTIATIONS.

10. CAGLAYANGIL SAID THAT TURKEY DOES NOT EXCLUDE, IF IT PROVES TO BE NECESSARY, A RECOURSE TO THE ICJ FOR THE RELEVANT ASPECTS OF THE PROBLEM, BUT MAINTAINS THAT THE DISPUTE SHOULD BE FIRST NEGOTIATED BETWEEN THE TWO COUNTRIES. HE REMINDED THE SC THAT JUDICIAL SETTLEMENT OF INTERNATIONAL DISPUTES DOES NOT TAKE PRECEDENCE OVER NEGOTIATIONS IN PROGRESS.

11. FONMIN STATED THAT THE GOG MILITARIZED THE AEGEAN ISLANDS IN DIRECT VIOLATION OF THE LAUSANNE TREATY OF 1923 AND THE TREATY OF PEACE WITH ITALY (1947). HE SAID THE ARMAMENTS ON THESE ISLANDS, WHICH INCLUDE MISSILES AND TANKS AS WELL AS TENS OF THOUSANDS OF TROOPS, THREATENS THE SECURITY OF THE ANATOLIAN PENINSULA. HE SAKED THE SC TO CONSIDER THE STEPS TO REMEDY THIS SITUATION.

12. CAGLAYANGIL ALSO CHARGED, THE GOG WAS TRYING TO LIMIT TURKISH AS WELL AS OTHER NATIONAL AIR RIGHTS OVER THE AEGEAN.

13. FONMIN NOTED THAT IN ITS LETTER TO THE ICJ GREECE ASKED THAT BODY TO DETERMINE WHICH AREAS OF THE AEGEAN LIMITED OFFICIAL USE

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BELONGED TO GREECE, YET IN ITS LETTER TO THE SC BEGIN BRACKETS S/12167 END BRACKETS GREECE SPEAKS OF "VIOLATIONS OF THE SOVEREIGN RIGHTS OF GREECE ON ITS CONTINENTAL SHELF IN THE AEGEAN." THIS MEANS THAT GREECE ON ONE HAND WANTS THE OWSERSHIP OF THE SHELF DETERMINED AND ON THE OTHER HAND IS ACCUSING TURKEY OF VIOLATIONS OF THIS SAME SHELF WHICH GREECE ADMITS IS UNDIETERMINED.

14. CAGLAYANGIL CONCLUDED BY STATING THAT THE GOG HAS ATTEMPTED TO UPSET THE DELICATE EQUILIBRIUM ESTABLISHED BY THE LAUSANNE TREATY BY ATTEMPTING TO ANNEX CYPRUS. CLOSING THE AEGEAN AIR SPACE, MONOPOLIZING THE CONTINENTAL SHELF, AND MILITARIZING THE ISLANDS. HE STATED THAT TURKEY WILL NOT RETREAT WHEN HER VITAL INTERESTS ARE THREATENED. HOWEVER, TURKEY REMAINS WILLING TO SETTLE THE DISPUTE

BY PEACEFUL NEGOTIATIONS.

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15. EXERCISING HIS RIGHT OF REPLY GREEK FORNMIN BITSIOS STATED THAT THE FACT NO BILATERAL AGREEMENT EXISTS DOES NOT MEAN COASTAL STATES HAVE NO RIGHTS.HE CITED THE LINE OF EQUIDISTANCE AS AN EXAMPLE OF APPLICABLE INTERNATIONAL LAW WHEN THERE IS NO SPECIAL AGREEMENT.

16. BITSIOS THEN PROCEEDED TO ANSWER A NUMBER OF THE TURKISH FONMIN'S POINTS. HE SAID THAT GREEK EXPLORATIONS IN THE CONTINENTAL SHELF IN THE EARLY 60'S DID NOT VIOLATE TURKISH RIGHTS AND THAT NOT ONCE DID THE GOT LODGE A PROTEST.

17. HE STATED THAT INTERNATIONAL LAW STATES THAT COASTAL STATES HAVE EXCLUSIVE RIGHTS AS REGARDS EXPLORATION OF THE CONTINENTAL SHELF AND THAT ANY SHIP OF ANOTHER STATE MUST RECEIVE THE CONSENT OF THE OWNER STATE TO CONDUCT SCIENTIFIC RESEARCH. BITSIOS TOLD THE SC THE GOT SHOULD HAVE REQUESTED THE CONSENT OF GREECE.

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18. AS FOR GREECE HAVING KNOWLEDGE OF THE SISMIK MISSION AS EARLY AS MARCH, BITSIOS STATED AT THAT TIME THE GREEK AMBASSADOR IN ANKARA IMMEDIATELY ASKED FOR CLARIFICATION BUT MET WITH EVASIVENESS FROM THE GOT. AT THE BERN MEETING IN JUNE THE GOG REP TOLD THE TURKISH DELEGATION IN PRIVATE THAT "NO ACTION SHOULD BE TAKEN THAT COULD AGGRAVATE THE SITUATION..."

19. BITSIOS SAID GREECE ACCEPTED AN ICAO OFFER TO MEDIATE THE AIR SPACE QUESTION IN OCT. 1974 BUT THE GOT REJECTED THE OFFER.

20. FONMIN BITSIOS CITED SEVERAL STATEMENTS BY TURKISH OFFICIALS AND PRESS WHICH STATED THAT TURKEY WANTED TO GAIN POSSESSION OF SOME OF THE AEGEAN ISLANDS INCLUDING A STATEMENT BY GOT PM IRMAC IN JAN. 1975 IN WHICH HE STATED HALF THE AEGEAN IS TURKEY'S. BITSIOS CITED THE LARGE NUMBERS OF TURKISH MILITARY PERSONNEL ON THE ANATOLIAN MAINLAND FACING THE AEGEAN AS REFLECTING TURKISH INTENTIONS.

21. BITSIOS CONCLUDED BY SAYING THAT GREEK PM CARAMANLIS HAS STATED GREECE HAS NO DESIRE TO MAKE THE AEGEAN A CLOSED GREEK SEA. HE QUERIED THAT PERHAPS TURKEY IS "NURTURING THE DREAM OF RESTORING THE OTTOMAN EMPIRE."

22. IN REPLY TURKISH FM CAGLAYANGIL REFERRED TO A MAP SHOWING GREEK CLAIMS IN THE AEGEAN AND ASKED IF THE GREEK DEMANDS WERE NOT UNFAIR TO TURKEY.

23. FONMIN CAGLAYANGIL STATED THAT IF GOG WANTED TO RAISE THE LEGAL QUESTION BEFORE THE SC AS WELL AS THE ICJ HE WAS PREPARED TO EXPRESS TURKEY'S POINT OF VIEW.

24. HE CONCLUDED BY STATING THAT TURKEY HAS NO CONTRACTUAL LIMITATION TO THE NUMBER OF TROOPS ON THE MAINLAND OF TURKEY WHEREAS THE LAUSANNE TREATY PROHIBITS THE MILITARIZATION OF THE GREEK ISLANDS.
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